

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREG ABBOTT, in his capacity as
GOVERNOR OF THE STATE OF TEXAS,
and THE STATE OF TEXAS,

Defendants.

Case No. 1:23-cv-00853-DAE

**PLAINTIFF UNITED STATES' RESPONSE IN OPPOSITION TO DEFENDANTS'
MOTION TO PLACE CASE ON JURY DOCKET**

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Dated: June 22, 2024

Counsel for the United States of America

Defendants moved to “Place Case on Jury Docket.” ECF 123 (June 21, 2024). Plaintiff, the United States, opposes. The Court should deny the motion for one or both reasons below:

1. There is no “jury docket” in this Court. There are a civil and a criminal docket. As the caption above communicates, this case was placed on the civil docket last year. The additional thing Defendants desire access to does not exist here. Thus, their motion is simultaneously moot, and futile.

2. The United States has separately moved to strike Defendants’ jury demand and deny their advisory jury request. ECF 125 (June 21, 2024). That relief should be granted for reasons explained in the pertinent parts of that motion. *Id.* at 1, 5, 16-20. Rulings granting that relief would be a further basis to deny this motion if one were needed.

Respectfully submitted,

Dated: June 22, 2024

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CERTIFICATE OF SERVICE

I certify that on June 22, 2024, a copy of this filing was served on counsel of record through the Court's electronic filing system.

/s/ Brian Lynk
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